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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 UNITED STATES OF AMERICA, et al.,

11 Plaintiffs,

12 v.

13 STATE OF WASHINGTON, et al.,

14 Defendants.
15

Case No. C70-9213RSM

Sub-proceeding No. 17-03

**STIPULATION AND ORDER SETTING
MEDIATION SCHEDULE**

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18 **STIPULATION**

19 On December 8, 2017, the Supreme Court of the United States granted the Upper Skagit
20 Indian Tribe's petition for certiorari in *Lundgren v. Upper Skagit Indian Tribe*, 389 P.3d 569
21 (Wash. 2017). *Upper Skagit Indian Tribe v. Lundgren*, No. 17-387, 2017 WL 4075456, at *1
22 (U.S. Dec. 8, 2017). Counsel for the Upper Skagit Indian Tribe had hoped to be able to complete
23 briefing and prepare for oral argument in the *Lundgren* matter while also preparing for this
24 mediation, but have concluded that it cannot.

25 Accordingly, the Stillaguamish Tribe of Indians, Swinomish Indian Tribal Community,

Tulalip Tribes, and Upper Skagit Indian Tribe (collectively, "Requesting Parties") stipulate to continuing the initial mediation conference to May 2018, and to a revised mediation schedule, subject to the Court's availability, as follows:

April 20, 2018

The Requesting Parties jointly submit to the Court:

- a. A statement of the factual and legal issues that will be the subject of mediation;
- b. Any and all background information, including copies of relevant docket entries from the main proceeding, that will be necessary to a full understanding of the issues; and
- c. An outline of each party's positions on the issues. The Requesting Parties may also each submit to the Court a confidential statement on each party's position.

May 4, 2018

Initial mediation conference

DATED this 18th day of February, 2018.

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COMMUNITY**

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Attorneys for Upper Skagit Indian Tribe

ORDER

The initial mediation conference in this matter is rescheduled to May 4, 2018 at 9:00 a.m.

By April 20, 2018, the Requesting Parties shall jointly submit to the Court:

- a. A statement of the factual and legal issues that will be the subject of mediation;
- b. Any and all background information, including copies of relevant docket entries from the main proceeding, that will be necessary to a full understanding of the issues; and
- c. An outline of each party's positions on the issues. The Requesting Parties may also each submit to the Court a confidential statement on each party's position.

DATED this 5th day of February, 2018.



Robert S. Lasnik
United States District Judge